

# SPONSOR'S REBUTTAL TO FISCAL NOTE

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**Bill Number:** HB 534

**Date Prepared:** 02/22/2011

**Short Title:** Require proof of citizenship to receive state services

**Sponsor:** Howard, David

**Fiscal Note Version and Date:**

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**Generally, why do you disagree with the fiscal note?**

THE FISCAL NOTE IS BASED ON THE FALSE PREMISE, that the State Agencies are to use the SAVE program for those who are employed by or provided benefits by the State of Montana. This is wrong because the State can merely require identification or if necessary use E-Verify which is free. Testimony by state agencies also revealed that they are already using the SAVE program for people who allege they are legal immigrants.

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**Specifically, what in the fiscal note do you feel is flawed?**

**1. The description of Fiscal Impact is incorrect:**

- a) The SAVE program is only used to check aliens who allege they are legal immigrants.
- b) The SAVE program is not used for non-immigrants.
- c) E-Verify is used for all adult individuals and E-Verify is FREE, i.e. NO COST.

**2. Presumptions are incorrect.**

- a) The agencies are granted authority to require proof of citizenship in the bill.
- b) The bill provides for only NEW employees to have to provide proof of citizenship as is already required by Federal law.

Department of Administration (DOA)

Okay.

Office of Public Instruction (OPI)

Only new students would have to be checked and there would be no new cost.

Montana University System

Okay.

Montana State Fund (MSF)

Okay.

Department of Public Health.

The estimate is wrong! The E-Verify system would be used and it is free.

Fish, Wildlife and Parks

The estimate is wrong! E-Verify would be used only for employees.

State Auditor's Office (SAO)

Estimate is WRONG! Only new employees would be checked through E-Verify.

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**What is your estimate of the fiscal impact?**

The fiscal impact should be ZERO!

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